



JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

- 1. IDENTIFICATION OF AGENCY AND CONTRACTING ACTIVITY:** The requiring activity is The Joint Staff, J7 Deputy Director for Joint Training (DDJT), Cyberspace Environment Division (CED), Norfolk, VA and the contracting activity is the Philadelphia Office of NAVSUP Fleet Logistics Center Norfolk.
- 2. NATURE/DESCRIPTION OF CONTRACT ACTION:** This procurement action is to procure Cisco SmartNet support products from Cisco Systems, Inc., or a Cisco Systems reseller authorized to sell Cisco products to the Federal Government, in support of The Joint Staff, J7 DDJT CED. The award of a firm fixed price purchase order is anticipated.
- 3. DESCRIPTION OF REQUIRED SUPPLIES/SERVICES:** The instant requirement is to procure Cisco SmartNet support products for currently installed Cisco Systems computer network hardware/software employed on the Joint Information Operations Range (JIOR) of The Joint Staff, J7 DDJT CED. Required support includes maintaining the system currency/viability of employed Cisco software/firmware licenses, including critical software/firmware updates/patches, next business day shipment of replacement failed/compromised Cisco routers, firewalls, switches and IP phones, and JIOR engineers access to proprietary Cisco Systems architecture documentation & technical references.
- 4. IDENTIFICATION OF STATUTORY AUTHORITY:** The statutory authority permitting other than full and open competition is Section 4202 of the Clinger-Cohen Act of 1996 – a sole source acquisition under the authority of the test program for certain commercial items, as implemented by FAR 13.501(a).
- 5. IDENTIFICATION OF THE JUSTIFICATION RATIONALE AND/OR DEMONSTRATION OF CONTRACTOR'S UNIQUE QUALIFICATIONS:** Cisco Systems hardware/firmware/software employed by The Joint Staff, J7 DDJT CED is an integral/primary part of the network infrastructure of the Joint Information Operations Range (JIOR) and continued Cisco SmartNet support is required for its successful operation. The Joint Staff, J7 DDJT CED has a substantial investment in the acquisition, configuration, implementation, operation, support/currency & viability of the Cisco Systems networking equipment within the JIOR. Cisco SmartNet support provides hardware replacement of failed networking components, critical software/firmware updates/patches as they become available, and technical references/subject matter expertise for user troubleshooting & configuration of Cisco Systems networking devices. Replaced networking components and software/firmware updates/patches must interface seamlessly with the existing JIOR infrastructure to ensure integrated/nondegraded/secure operation of the network. Consequently, the renewal of Cisco SmartNet support is required to sustain network availability & reliability and maintain security and information assurance accreditation of the network; without required Cisco SmartNet support, network availability, reliability, stability, & security could be seriously impacted resulting in substantially increased system vulnerabilities and risk to the JIOR network.

Cisco Systems, Inc., through its authorized resellers, is considered to be the only responsible source capable of providing the required Cisco SmartNet support products for the existing Cisco unclassified and classified network infrastructure of the Joint Information Operations Range (JIOR) of The Joint Staff, J7 DDJT CED, Norfolk, VA, as Cisco Systems is the exclusive manufacturer/publisher of Cisco networking equipment/software, and required Cisco SmartNet support is only available from Cisco Systems, as the original equipment manufacturer, or one of its authorized resellers. As such, Cisco Systems, Inc. is the only firm that possesses the requisite proprietary software/firmware source code, architecture documentation, and technical references/subject matter expertise necessary to provide the required support of its networking hardware/software/firmware.

6. GPE ANNOUNCEMENT/POTENTIAL SOURCES: A synopsis of this requirement will be posted to the Navy Electronic Commerce Online (NECO) website, as required by FAR 5.2. The synopsis will indicate the Navy's intent to acquire required Cisco SmartNet support from Cisco Systems, Inc. through solicitation of its authorized resellers.

Market research conducted by the requiring activity and contracting specialist confirmed the commerciality and proprietary nature of the requirement and revealed no additional sources. On 06/11/2015, a Request for Information (RFI) was posted to Navy Electronic Commerce Online (NECO) to give notice of the intent of this office to procure required Cisco SmartNet support products for currently installed Cisco Systems computer network hardware/software employed on the JIOR of The Joint Staff, J7 DDJT CED. The RFI resulted in responses of interest by two resellers authorized to sell Cisco SmartNet support products to the Federal Government and a firm proposing an alternative support solution. Subsequent evaluation of the submitted alternative support solution by the requiring activity showed that proposed support applied to only 24 Cisco ethernet switches installed on the JIOR, a small subset of the entire configuration of Cisco devices which make-up the JIOR requiring system support. Furthermore, the requiring activity has verified that third party support contractors are not authorized to work directly with the original equipment manufacturer to provide software feature enhancements, bug fixes, and security updates, as for reasons of security and intellectual property protection, Cisco Systems, Inc. does not publicize the details of all software and hardware defects to third party support contractors. As a consequence, the ability to access necessary detailed proprietary Cisco hardware & software documentation without restriction is only available to Cisco authorized resellers for provision to the end user via the Cisco SmartNet technical support process.

7. DETERMINATION OF FAIR AND REASONABLE PRICE: The Contracting Officer will determine that the prices to be paid by the Government for the requirement addressed by this Justification and Approval are fair and reasonable.

8. ACTIONS TAKEN TO REMOVE BARRIERS TO COMPETITION: All future requirements will be handled on a case-by-case basis.

9. CONTRACTING POINT OF CONTACT: The point of contact at the Philadelphia Office of NAVSUP FLC Norfolk is W. A. Woodring, Code 290.2B, who may be contacted at commercial telephone no. (215) 697-9644, DSN 442-9644, or e-mail address william.woodring@navy.mil.

SOURCE SELECTION INFORMATION – SEE FAR 2.101 and 3.104